

**PRODUCT:** 378 cases, each containing 24 12-ounce jars, of jelly at Milwaukee, Wis.

**LABEL, IN PART:** (Jars) "Phillips Blackberry [or "Red Raspberry," "Strawberry," "Currant," or "Cherry"] Jelly."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (1), valuable constituents, fruit juices, had been in part omitted from the products; and, Section 402 (b) (2), products deficient in fruit juices, insufficiently concentrated, and containing added water and phosphoric acid or acid phosphate, had been substituted in whole or in part for blackberry, red raspberry, strawberry, currant, and cherry jellies.

Misbranding, Section 403 (g) (1), the products failed to conform to the definitions and standards of identity for fruit jellies since they had not been concentrated by heat to such point that their soluble solids content was not less than 65 percent, and since they contained added water and phosphoric acid or acid phosphate, which are not permitted as optional ingredients of fruit jellies; Section 403 (a), the names "Blackberry Jelly," "Red Raspberry Jelly," "Strawberry Jelly," "Currant Jelly," and "Cherry Jelly," in the labeling, were false and misleading; and, Section 403 (b), the products were offered for sale under the names of other foods.

**DISPOSITION:** December 13, 1944. The Phillips Co., Inc., claimant, having consented to the entry of the decree, judgment of condemnation was entered and the products were ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

#### VEGETABLES\*

**7820. Misbranding of canned asparagus. U. S. v. 38 Cases of Canned Asparagus. Default decree of condemnation. Product delivered to charitable institutions. (F. D. C. No. 14979. Sample No. 73172-F.)**

**LIBEL FILED:** January 11, 1945, District of South Dakota.

**ALLEGED SHIPMENT:** On or about November 17, 1944, by Parrott & Co., from Oakland, Calif.

**PRODUCT:** 38 cases, each containing 24 1-pound, 3-ounce cans, of asparagus at Watertown, S. Dak.

**LABEL, IN PART:** "Bountiful All Green Cut California Asparagus."

**VIOLATION CHARGED:** Misbranding, Section 403 (a), the vignette on the label depicting a dish containing a considerable proportion of asparagus tips, and the label statement, "All Green Cut California Asparagus," were false and misleading since the article consisted of center and bottom cuts from the asparagus stalk, but contained no tips.

**DISPOSITION:** February 13, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered disposed of by the United States marshal. The product was distributed to various charitable institutions.

**7821. Adulteration of Garbanzos beans (chick peas). U. S. v. 67 Bags of Garbanzos Beans. Default decree of condemnation and destruction. (F. D. C. No. 14062. Sample No. 63808-F.)**

**LIBEL FILED:** October 26, 1944, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about March 30, 1944, by L. N. White & Co., from New York, N. Y.

**PRODUCT:** 67 110-pound bags of Garbanzos beans at Tampa, Fla.

**LABEL, IN PART:** "Garbanzo de Sinaloa."

**VIOLATION CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils, webbing, insect frass, and insect excreta.

**DISPOSITION:** December 4, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**7822. Adulteration of canned, strained green beans. U. S. v. 180 Cartons of Canned Strained Green Beans. Default decree of condemnation and destruction. (F. D. C. No. 14974. Sample Nos. 68190-F, 68400-F.)**

**LIBEL FILED:** January 11, 1945, Northern District of Ohio.

\*See also No. 7890.